United Nations A/HRC/37/L.1

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Human Rights Council
Thirty-seventh session
26 February–23 March 2018
Agenda item 1
Organizational and procedural matters

Belgium, Bulgaria,* Czechia,* Denmark,* Estonia,* Finland,* France,* Germany, Ireland,* Lithuania,* Netherlands,* New Zealand,* Poland,* Sweden,* United Kingdom of Great Britain and Northern Ireland, United States of America: draft resolution

37/... The deteriorating situation of human rights in Eastern Ghouta, in the Syrian Arab Republic

The Human Rights Council,

Having held an urgent debate to discuss the deteriorating situation of human rights in Eastern Ghouta, in the Syrian Arab Republic, which is currently under siege by the Syrian authorities,

Recalling all relevant resolutions of the General Assembly, the Security Council and the Human Rights Council, the most recent of which were Human Rights Council resolution 36/20 of 29 September 2017, General Assembly resolution 72/191 of 19 December 2017 and Security Council resolutions 2393 (2017) of 19 December 2017 and 2401 (2018) of 24 February 2018,

Recalling also the statement of the Secretary-General to the Human Rights Council, on 26 February 2018, including his clear position that Security Council resolution 2401 (2018) must be immediately implemented and sustained, in particular, to ensure the immediate, safe, unimpeded and sustained delivery of humanitarian assistance, the evacuation of the critically sick and wounded, and the alleviation of the suffering of the Syrian people, as well as his reiteration that all parties have an obligation in international humanitarian law to protect civilians and civilian infrastructure,

Recalling further the press release of the United Nations High Commissioner for Human Rights on 21 February 2018 and his statement to the Human Rights Council on 26 February, in which he expressed alarm at the escalation of continued hostilities in Eastern Ghouta and called for an immediate cessation of hostilities, and stressed the imperative of granting immediate humanitarian access and ensuring swift facilitation of evacuations of the sick and wounded, as well as civilians wishing to leave, adding that any political agreement regarding Eastern Ghouta must be in conformity with international human rights law and international humanitarian law, and that no forced displacement of civilians should take place as a result of such a political agreement,

* State not a member of the Human Rights Council.

GE.18-03269(E)

1803269

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Emphasizing the need for accountability for war crimes and crimes against humanity committed by all parties to the armed conflict in the Syrian Arab Republic, and underlining in this respect the important role of the Independent International Commission of Inquiry on the Syrian Arab Republic and the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic and to the principles of the Charter of the United Nations,

1. *Strongly condemns* all violations of international humanitarian law and the widespread and systematic gross violations and abuses of human rights and fundamental freedoms in the Syrian Arab Republic;

2. *Also strongly condemns* the sustained denial of humanitarian access, the repeated attacks against medical facilities and other civilian infrastructure, and any indiscriminate use of heavy weapons and aerial bombardments, including cluster munitions, incendiary weapons and barrel bombs, and the use of chemical weapons by the Syrian authorities against civilians in the Syrian Arab Republic, including against the people living in Eastern Ghouta;

3. *Welcomes* Security Council resolution 2401 (2018), in which the Council demanded that all parties to the conflict cease hostilities without delay for at least 30 consecutive days to allow the safe, unimpeded and sustained delivery of humanitarian assistance and medical evacuations of the critically sick and wounded, in accordance with applicable international law, and calls for its full and immediate implementation by all parties to the conflict;

4. *Calls upon* all parties, in particular the Syrian authorities, to meet their responsibility to protect the Syrian population and to end immediately all attacks against civilians in Eastern Ghouta;

5. *Stresses* the need to ensure accountability for those responsible for violations and abuses of international human rights law and violations of international humanitarian law in Eastern Ghouta, and also stresses that those responsible for serious violations and abuses of international human rights law and serious violations of international humanitarian law in all areas of the Syrian Arab Republic must be held to account;

6. *Demands* that the Syrian authorities allow free, unimpeded and sustained access by the United Nations and humanitarian operators to all people in need, including immediate access for aid deliveries and medical evacuations to and from Eastern Ghouta, and the protection of medical and other humanitarian personnel, facilities and transport;

7. *Requests* the Independent International Commission of Inquiry on the Syrian Arab Republic to urgently conduct a comprehensive and independent inquiry into the recent events in Eastern Ghouta, and to provide an update followed by an interactive dialogue on the situation to the Human Rights Council at its thirty-eighth session;

8. *Decides* to remain seized of the matter and to take further action on the situation of human rights in the Syrian Arab Republic.

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Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/37/L.1

37/... The deteriorating situation of human rights in Eastern Ghouta, in the Syrian Arab Republic

After paragraph 1, insert a new paragraph *reading*

1 bis. *Condemns* all terrorist acts in the Syrian Arab Republic, in particular in Eastern Ghouta, and calls upon all States not to render any support to terrorists in the Syrian Arab Republic;

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37/... The deteriorating situation of human rights in Eastern Ghouta, in the Syrian Arab Republic

After paragraph 2, insert a new paragraph *reading*

2 bis. *Expresses its concern* at the violence committed by armed groups in Eastern Ghouta, in particular the deliberate shelling of civilians, civilian objects and diplomatic premises in Damascus;

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37/... The deteriorating situation of human rights in Eastern Ghouta, in the Syrian Arab Republic

After paragraph 4, insert a new paragraph *reading*

4 bis. *Calls upon* armed groups in Eastern Ghouta to ensure the safe exit of civilians through humanitarian corridors;

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Delete paragraph 7.

* State not a member of the Human Rights Council

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South Africa: amendment to draft resolution A/HRC/37/L.1

37/... The deteriorating situation of human rights in Eastern Ghouta, in the Syrian Arab Republic

After the seventh preambular paragraph, insert a new paragraph *reading*

Strongly condemning the failure of the Security Council to demonstrate unity of purpose in addressing the conflict in the Syrian Arab Republic,

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South Africa: amendment to draft resolution A/HRC/37/L.1

37/... The deteriorating situation of human rights in Eastern Ghouta, in the Syrian Arab Republic

After the eighth preambular paragraph, insert a new paragraph *reading*

Gravely concerned at the failure of the permanent members of the Security Council to fulfil their obligations with regard to weapons of mass destruction and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, which prohibits the use of and trade in these weapons

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South Africa: amendment to draft resolution A/HRC/37/L.1

37/... The deteriorating situation of human rights in Eastern Ghouta, in the Syrian Arab Republic

After paragraph 1, insert a new paragraph *reading*

1 bis. *Urgently calls upon* the Security Council to demonstrate unity of purpose and to constructively address the crisis in the Syrian Arab Republic;

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South Africa: amendment to draft resolution A/HRC/37/L.1

37/... The deteriorating situation of human rights in Eastern Ghouta, in the Syrian Arab Republic

After paragraph 2, insert a new paragraph *reading*

2 bis. *Calls upon* the permanent members of the Security Council to fulfil their obligations with regard to weapons of mass destruction and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction;

GE.18-03307(E)
1803307

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